

Message Text

UNCLASSIFIED

PAGE 01 OTTAWA 02753 152134Z
ACTION EUR-12

INFO OCT-01 ISO-00 OES-06 L-03 /022 W
-----152155Z 097291 /66

P 152126Z APR 77
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC PRIORITY 3155

UNCLAS OTTAWA 02753

E.O. 11652: NA
TAGS: SENV, CA
SUBJECT: OIL SPILL COMPENSATION BILL

REF: STATE 68633

1. PER INSTRUCTIONS REFTEL, EMBASSY FORWARDED VIA LETTER TO ASSISTANT UNDER-SECRETARY PETER TOWE, EXTAFF, FOREIGN CLAIMS PORTION OF THE DRAFT BILL. CANADIAN RESPONSE TO LETTER RECEIVED APRIL 14 AND IS AS FOLLOWS:

2. BEGIN TEXT: MR. TOWE REFERRED YOUR LETTER OF MARCH 29, 1977 DEALING WITH LIABILITY AND COMPENSATION ARRANGEMENTS IN THE BEAUFORT SEA TO ME FOR REPLY. I WISH TO THANK YOU FOR FORWARDING A COPY OF THE DRAFT BILL THAT THE PRESIDENT RECENTLY SENT TO CONGRESS REGARDING THE COMPREHENSIVE OIL POLLUTION AND COMPENSATION ACT 1977. WE HOPE TO BE MEETING STATE DEPARTMENT OFFICIALS IN EARLY MAY TO DISCUSS THIS LEGISLATION IN THE CONTEXT OF THE BEAUFORT SEA. THE POSSIBILITY OF PROVIDING ACCESS TO STATUTORY REMEDIES UNDER CANADIAN LAW FOR FOREIGN CLAIMANTS WILL BE DISCUSSED AT THAT TIME. SUCH CONSULTATIONS ON LONG-TERM RECIPROCAL ARRANGEMENTS ON LIABILITY AND COMPENSATION FOR TRANSBOUNDARY DAMAGES WERE PROPOSED BY CANADA IN OUR NOTE NO. FLO-1280 OF SEPTEMBER 20, 1976 TO THE U.S. EMBASSY, TO WHICH YOUR EMBASSY REPLIED POSITIVELY IN A NOTE DATED OCTOBER 18, 1976 TO THIS DEPARTMENT.
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3. YOU REFERRED IN YOUR LETTER TO THE COMPENSATION ARRANGEMENTS AVAILABLE UNDER THE TRANS-ALASKA PIPELINE AUTHORIZATION ACT. WE ARE AWARE OF THESE PROVISIONS AND, IN THIS REGARD, SUBMITTED AN AIDE-MEMOIRE TO THE STATE DEPARTMENT IN MAY, 1976, OUTLINING CERTAIN CONCERNS WHICH WE HAD WITH THE TAPA ACT AS WELL AS SOME COMMENTS

DEALING WITH THE PROPOSED COMPREHENSIVE OIL POLLUTION LIABILITY AND COMPENSATION ACT 1976. SOME OF OUR COMMENTS WITH REGARD TO THE LATTER ACT APPEAR TO HAVE BEEN OVERTAKEN BY SUBSEQUENT DEVELOPMENTS, SINCE A NEW COMPREHENSIVE LIABILITY BILL HAS BEEN INTRODUCED IN CONGRESS WITH A VIEW TO SUPERSEDING THE TAPA ACT. HOWEVER, WE UNDERSTAND THAT THE COMPENSATION PROVISIONS OF THE TAPA ACT WILL CONTINUE TO APPLY UNTIL THIS NEW LEGISLATION IS IN PLACE.

4. WE ARE, THEREFORE, LOOKING FORWARD TO A DISCUSSION WITH UNITED STATES OFFICIALS ON THE QUESTIONS RAISED IN OUR AIDE-MEMOIRE. SIGNED ERIK B. WANG, DIRECTOR, LEGAL OPERATIONS DIVISION. END TEXT. DUEMLING

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: WATER POLLUTION, TEXT, OIL SPILLS, LEGISLATIVE BILLS, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977OTTAWA02753
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
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Review Exemptions: n/a
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 2794091
Secure: OPEN
Status: NATIVE
Subject: OIL SPILL COMPENSATION BILL
TAGS: SENV, CA
To: STATE
Type: TE
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